

REMARKS

This amendment responds to the Office Action mailed on January 10, 2007. Claims 17-26 are currently pending. Claim 17 has been amended. In view of the claim amendment, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and request reconsideration of the application in this regard.

Rejection under 35 U.S.C. § 102

Claims 17-20, 23, 25, and 26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,691,895 to Strecker (hereinafter *Strecker*). The Examiner contends that *Strecker* shows or teaches all the features of the rejected claims. Applicants respectfully traverse the Examiner's contention.

In contrast to Applicants' independent claim 17, as amended, *Strecker* fails to disclose or suggest "a flow passage constructed and arranged to enable the liquid to flow between said two or more vessels." The Examiner contends that *Strecker* discloses a flow passage (224, 238) and concludes that "see Fig 2, the liquid coming out of each of the cylinders communicate (*sic*) within the flow passage disposed between the two vessels." In contrast to the Examiner's contention, the identified flow passage (224, 238) does not permit liquid to flow between vessel (280) and vessel (282). Instead, one liquid originating from vessel (280) flows through passageway (230) in a direction toward the flow passage (224, 238) and a different liquid originating from vessel (282) flows through passageway (236) in a direction toward the flow passage (224, 238). *Strecker* fails to disclose that liquid from vessel (280) can somehow flow through flow passage (224, 238) to vessel (282). Similarly, *Strecker* fails to disclose that liquid from vessel (282) can somehow flow through flow passage (224, 238) to vessel (280). Moreover, *Strecker* discloses that the screw (50, 250) is actually forcing the liquid from the vessels (280, 282) toward flow passage (224, 238) and toward the dispensing tip (39, 239). *See, e.g.*, column 3, lines 55-61.

As disclosed throughout *Strecker*, the liquid in vessel (280) and the liquid in vessel (282) constitute two components that are combined to form a liquid product (i.e., a two-part adhesive). A person having ordinary skill in the art would comprehend that the two components are not mixed while in the vessels (280, 282) and, in contrast, are intentionally kept separated while resident in the vessels (280, 282). Hence, a person having ordinary skill in the art would

appreciate that the flow passage (224, 238) identified by the Examiner in Figure 2 of *Strecker* is not configured and constructed to permit liquid flow between the vessels (280, 282).

In order for a reference to anticipate a claimed invention, the reference must teach each and every element in the precise arrangement set forth in the claim. If the reference fails to teach even one of the claimed features, the reference does not and cannot anticipate the claimed invention. *Strecker* fails to disclose “a flow passage constructed and arranged to enable the liquid to flow between said two or more vessels.” Consequently, *Strecker* fails to anticipate independent claim 17. For at least this reason, Applicants respectfully request that the Examiner withdraw the rejection.

Applicants’ independent claim 17 is patentable for at least an additional reason. Specifically, *Strecker* fails to disclose “a flow rate restricting member configured to regulate a flow rate of the liquid flowing between said two or more vessels in said flow passage when said first pressurizing device applies the predetermined pressure to said at least one vessel of said two or more vessels, and the second pressurizing device sets the pressure of said at least one remaining vessel at the lower level than the predetermined pressure of said at least one vessel.” The Examiner identifies “screws 50, 250, drive mechanism 60, 260 in communication with a controller” in *Strecker* and contends that these features constitute a flow rate restriction member. As explained above, *Strecker* discloses that the screws (50, 250) operate to direct the flow of the two liquids from vessels (280, 282) toward the flow passage (224, 238) and, ultimately, direct the flow of the two liquids from the flow passage (224, 238) to the dispensing tip (39, 239) for discharge. On the other hand, *Strecker* fails to disclose that the screws (50, 250) somehow regulate flow of the two different liquids) between the vessels (280, 282) in the flow passage (224, 238). For at least this additional reason, *Strecker* fails to anticipate independent claim 17. Applicants respectfully request that the rejection be withdrawn.

Because claims 18-20, 23, 25, and 26 depend from independent claim 17, Applicants submit that these claims are also patentable. Furthermore, claims 18-20, 23, 25, and 26 each recite a unique combination of elements not disclosed or suggested by *Strecker*.

Rejection under 35 U.S.C. § 103

Claims 21 and 22 stand rejected as being unpatentable over *Strecker* in view of U.S. Patent No. 6,540,104 to Yanagita et al. (hereinafter *Yanagita*). *Yanagita* fails to remedy the deficiencies of *Strecker*. Specifically, *Yanagita* fails to disclose or suggest “a flow passage

constructed and arranged to enable the liquid to flow between said two or more vessels” and “a flow rate restricting member configured to regulate a flow rate of the liquid flowing between said two or more vessels in said flow passage when said first pressurizing device applies the predetermined pressure to said at least one vessel of said two or more vessels, and the second pressurizing device sets the pressure of said at least one remaining vessel at the lower level than the predetermined pressure of said at least one vessel.” Therefore, dependent claims 21 and 22 are patentable for at least the same reasons as independent claim 17. Furthermore, dependent claims 21 and 22 each recite a unique combination of elements not disclosed or suggested by the combination of *Strecker* and *Yanagita*.

Conclusion

Applicants have made a bona fide effort to respond to each and every requirement set forth in the Office Action. In view of the foregoing amendment and remarks, this application is submitted to be in complete condition for allowance and, accordingly, a notice to this effect is earnestly solicited. In the event that any issues remain outstanding, the Examiner is invited to contact the undersigned to expedite issuance of this application.

Applicants do not believe that any fees are due in connection with this response. However, if any additional fees are necessary as a result of this communication, the Commissioner is hereby authorized to charge any necessary fees to Deposit Account 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

By: /William R. Allen/
William R. Allen, Ph.D., Reg. No. 48,389

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324